

Governor's Office of Homeland Security



FY07 California Port and Maritime Security Grant Program

Program Guidelines and Application Kit

November 9, 2007

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Section 1 - Overview

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Prop 1 B)

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006 general election, authorizes the issuance of nineteen billion nine hundred twenty five million (\$19,925,000,000) in general obligation bonds for specified purposes, including grants for port security projects.

California Ports Infrastructure, Security, and Air Quality Improvement Account

Section 8879.23 of the California Government Code creates the Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006 in the State Treasury. Section 8879.23 (c) directs that three billion one hundred million dollars (\$3,100,000,000) be deposited in the California Ports Infrastructure, Security, and Air Quality Improvement Account. Section 8879.23 (c)(3) directs that one hundred million dollars (\$100,000,000) be made available upon appropriation by the legislature for grant to eligible entities for eligible port and maritime security projects.

Senate Bill 88

Senate Bill (SB) 88 was signed by the Governor and chaptered into law on August 24, 2007. SB 88 implements the provisions of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006.

Senate Bill 88 – Chaptered August 24, 2007

http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0051-0100/sb_88_bill_20070822_enrolled.pdf

California Port and Maritime Security Grant Program (CPMSGP)

These program guidelines and application kit will provide eligible applicants with the guidance, information and documents necessary to participate in the California Port and Maritime Security Grant Program (CPMSGP) administered by the Governor's Office of Homeland Security (OHS).

The Program Guidelines *and Application Kit* for the California Port and Maritime Security Grant Program (CPMSGP) may be obtained at:
<http://www.homeland.ca.gov/grants.html>

As the administrative agency for the California Port and Maritime Security Grant Program (CPMSGP) the Governor's Office of Homeland Security (OHS) will issue program guidelines, grant management memorandums, conduct grant management workshops, training sessions, meetings and working groups. Information regarding these activities will be communicated to program participants and the public on the OHS website. A link to the OHS website is provided below.

<http://www.homeland.ca.gov/index.html>

Funds Available	Funds appropriated for the FY 2007 California Port and Maritime Security Grant Program (CPMSGP) is forty million dollars (\$40,000,000).
Eligible Recipient Agencies	Eligible applicants shall be publicly owned ports, harbors, and ferryboat and ferry terminal operators.
Eligible Activities	<p>Eligible activities include, but are not limited to:</p> <ul style="list-style-type: none"> (A) Video surveillance equipment (B) Explosives detection technology, including, but not limited to, X-ray devices (C) Cargo scanners (D) Radiation monitors (E) Thermal protective equipment (F) Site identification instruments capable of providing a fingerprint for a broad inventory of chemical agents (G) Other devices capable of detecting weapons of mass destruction using chemical, biological, or other similar substances (H) Other security equipment to assist in any of the following: <ul style="list-style-type: none"> (i) Screening of incoming vessels, trucks, and incoming or outbound cargo (ii) Monitoring the physical perimeters of harbors, ports, and ferry terminals (iii) Providing or augmenting onsite emergency response capability (I) Overweight cargo detection equipment, including, but not limited to, intermodal crane scales and truck weight scales (J) Developing disaster preparedness or emergency response plans
Grant Performance Period	<p>The grant performance period will commence upon grant award notification by the Governor's Office of Homeland Security (OHS) to the recipient agency. The duration of the grant performance period will be requested by the recipient agency in their investment justification, reviewed by the peer review panel and confirmed by OHS. In no case will a grant performance period exceed three years.</p>

**Project
Approval
Process**

Projects submitted for funding will be reviewed and approved in a three phase process.

**Phase 1
Investment
Justifications**

Phase 1 - eligible applicants may submit Investment Justifications (IJ) on a continuous basis. The Governor's Office of Homeland Security (OHS) will convene a Peer Review Panel (PRP), comprised of Port Security Director who participate in the Governor's California Maritime Security Council (CMSC) that will evaluate the investment justifications and make recommendations to OHS. OHS will internally review the recommendations of the peer review panel, determine awards and review funding decisions with the CMSC.

**Investment
Justification
Template**

The Investment Justifications (IJ) will be submitted on a one page template provided in Appendix A. The IJ will include the following sections;

- A) Project name
- B) Project Description and deliverables
- C) Project justification
 - How project reduces identified vulnerabilities and buys down risk
 - The impact of not funding the project
 - State goals and objectives met (by number)
 - Alignment with the goals and objectives of the CMSC strategy
 - Alignment with national priorities of National Strategy for Maritime Security (NSMS)
- D) Project cost or budget (include scalability options, if applicable)
- E) Governing Body Resolution (separate from one page template)
- F) Signature Authority

**Phase 2
Project
Funding Plan**

Phase 2 – eligible applicants recommended for funding must submit a project funding plan to the OHS that demonstrates the following:

- 1) That all funds necessary for the project are expected to be reasonably available and sufficient to complete the project
- 2) Identify the useful life of the project as consistent with bond funding
- 3) Describe how the project is consistent with the California State Homeland Security Strategy
- 4) Describe how the project is consistent with the California Maritime Security Council Strategy, its goals and objectives
- 5) Identify the following project delivery milestones, including, but not limited to, the start and completion dates for the following as applicable:
 - a. Project financing
 - b. Permits and entitlements
 - c. Environmental clearance
 - d. Land acquisition, site control, right of way, easements, etc.
 - e. Engineering and architectural design
 - f. Construction bid/award process
 - g. Procurement of equipment, contracts and services
- 6) Project management capability

Phase 3
Notice of Project Approval

Phase 3 - Upon final project approval recipient agencies will receive a formal notice of approval from the OHS. The notice of approval will include project milestones, audit requirements, program monitoring requirements, reporting requirements and direction to complete the OHS Financial Management Forms Workbook (FMFW).

Payment Request Process

To request reimbursement payment of FY 07 CPMSGP funds, complete a payment request form using the OHS Financial Management Forms Workbook (FMFW) and return it to the appropriate Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security.

OHS Financial Management Forms Workbook V 1.07

<http://www.homeland.ca.gov/grants.html>

NOTE: Payments can only be made if the subgrantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

All subgrantee application materials, related questions, comments and correspondence should be directed to the address below.

State Contact Information

Governor's Office of Homeland Security
ATTN: Grants Management Division
State Capitol
Sacramento, CA 95814-4900
(916) 324-8908
(916) 324-5902 Fax

OHS Regional Representatives

OHS Regional Representatives may be located on the regional map at:
<http://www.homeland.ca.gov/grants.html>

OHS website

Governor's Office of Homeland Security Website
<http://www.homeland.ca.gov/>

Access to ODP Secure portal

Office for Domestic Preparedness (ODP) Secure Portal
<https://odp.esportals.com/index.cfm>

To obtain access to the ODP Secure Portal please contact **BJ Bjornson**, Secure Portal Administrator, Office of Homeland Security, Training and Exercise Program (T&E).

Bj.bjornson@ohs.ca.gov Phone (916) 826-4488

Section 2 - Subgrant Timelines

FY 07 CPMSGP Timeline

Draft Guidelines and Application Kit issued	August 29, 2007
Public Meeting to receive comment of draft guidelines	September 13, 2007
Final Guidelines and Application Kit issued	November 9, 2007
Investment Justification submittal period begins	November 13, 2007
Peer Review Panel (PRP) initial meeting	TBD

Section 3 – Key Changes and State Initiatives

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Section 4- Project Funding Plan

Required Funding Plan Components

A completed project funding plan will include all of the following components.

- **Completed OHS Financial Management Forms Workbook V 1.07**

- Submitted electronically via email on the ODP Secure Portal

Application Cover Sheet

Grant Management Roster

Project Ledger

Project Description

Project – A thru T

- Investment Justification – Goals and Objectives

- Project Description

Equipment Inventory Ledger

Authorized Agent form with appropriate signatures

- **Governing Body Resolution – Mailed**

Funding Plan Project Narrative

- **Project Narrative** Submit on organization letterhead.

- 1) Certify that all funds necessary for the project are expected to be reasonably available and sufficient to complete the project.
- 2) Identify the useful life of the project as consistent with bond funding
- 3) Identify the following project delivery milestones, including, but not limited to, the start and completion dates for the following as applicable;
 - a. Project financing
 - b. Permits and entitlements
 - c. Environmental clearance
 - d. Land acquisition, site control, right of way, easements, etc.
 - e. Engineering and architectural design
 - f. Construction bid\award process
 - g. Procurement of equipment, contracts and services
- 4) Project management capability project completion

- **Signature Authority - Mailed**

- **Signed Original Grant Assurances – Mailed**

- Available only in PDF format on the OHS website

The **Financial Management Forms Workbook V 1.07** can be found at

<http://www.homeland.ca.gov/grants.html>

Document Submittal **All investment justifications, funding plans and financial management forms workbook materials are accepted on a continuous basis.** Additional information will be requested or accepted from subgrantees at the sole discretion of the OHS.

Completed Investment Justification documents **must be submitted electronically to the ODP secure portal.** All documents requiring original signatures must be mailed to the address below.

The mailing address for all applications is:

Governor’s Office of Homeland Security
ATTN: Grants Management Division
State Capitol
Sacramento, CA 95814

ODP Secure Portal

<https://odp.esportals.com/index.cfm>

Governing Body Resolution The *Governing Body Resolution* appoints agents authorized to execute any actions necessary for each application and subgrant.

NOTE: All applicants will be required to submit a new Governing Body Resolution with their FY 07 CPMSGP Investment Justification. A sample Resolution can be found in Appendix A.

Grant Assurances The *Grant Assurances* form lists the requirements to which the subgrantees will be held accountable.

Important note: **Self created grant assurances forms will not be accepted.**

Section 5- Post Award Requirements

Post Award Modifications Post award budget, scope and time modifications must be requested using the **OHS Financial Management Forms Workbook V 1.07**, by the subgrantee's Authorized Agent, and submitted to the subgrantees Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security. Upon approval the subgrantee will be instructed to post the required changes in the Office for Domestic Preparedness (ODP), Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> . The subgrantee may implement the modifications, and incur associated expenses, **after** receiving **written final approval** of the modification from the State.

NOTE: Modifications can be requested once per quarter during the grant performance period. Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance costs incurred by the recipient agency.

Subgrantee Performance Reports Twice a year subgrantees must prepare and submit performance reports to the Governor's Office of Homeland Security (OHS), Grants Management Division (GMD) for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. The required forms are attached as Attachment D. Subgrantees must complete will submit the required reports using the Office for Domestic Preparedness (ODP), Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> .

Due Dates Performance reports will be due to OHS on June 30 and December 31.

Final Project Report Within six months of a project becoming operable, the recipient agency shall provide a report to the Governor's Office of Homeland Security (OHS) on the final costs of the project as compared to the approved project budget, the project duration as compared to the original project schedule as of the date of allocation, and performance outcomes derived from the project compared to those described in the original application for funding. The OHS will forward the report to the Department of Finance (DOF) by means approved by the DOF.

**Monitoring
Subgrantee
Performance**

The state is currently conducting a program of sub-grantee monitoring. The monitoring will be conducted on the subgrantees administrative, programmatic and fiscal management of the grant(s).

These reviews may include, but are not limited to:

- Eligibility of expenditures
- Comparing actual subgrantee activities to those approved in the subgrant application and subsequent modifications, if any.
- Ensuring that advances have been disbursed in accordance with applicable guidelines.
- Confirming compliance with:
 - Grant Assurances.
 - Information provided on performance reports and payment requests.
 - Needs and threat assessments and strategies.

**Important
note:**

It is the responsibility of all subgrantees to monitor and audit the grant activities of their subrecipients. This requirement includes, but is not limited, to on site verification of grant activities as required.

**Suspension or
Termination**

The State may suspend or terminate subgrant funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failing to expend funds in a timely manner consistent with the grant milestones, guidance and assurances.
- Failing to comply with the requirements or statutory objectives of federal or state law.
- Failing to make satisfactory progress toward the goals or objectives set forth in the subgrant application.
- Failing to follow grant agreement requirements or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the proposed project would not have been approved for funding.
- Failing to submit required reports.
- Filing a false certification in the application or other report or document.
- Failing to adequately manage, monitor or direct the grant funding activities of their subrecipients.

Before taking action, the state will provide the subgrantee reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

Closeout

The State will close a subgrantee award after:

- Receiving a subgrantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and,
- Final performance report reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the subgrantee:

- is owed additional funds, the state will send the final payment automatically to the subgrantee.
- did not use all funds received, the state will issue an Invoice or Grant Modification letter to recover unused funds.

In the **Grant Closeout letter**, the state will notify the subgrantee of the start of the record retention period for all programmatic and financial grant related records.

NOTE: Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

Payment Request Process

To request advance or reimbursement payment of FY 07 HSGP funds, complete a payment request form using the OHS Financial management Forms Workbook and return it to the appropriate Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security.

OHS Financial Management Forms Workbook V 1.07

<http://www.homeland.ca.gov/grants.html>

NOTE: Payments can only be made if the subgrantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

Section 6 – Appendices

Appendix	Document
A	Investment Justification Template
B	Governing Body Resolution Template
C	Signature Authority Template
D	Performance Report Template

Appendix B
Governing Body Resolution

BE IT RESOLVED BY THE _____
(Governing Body)

OF THE _____ *THAT*
(Name of Applicant)

_____, *OR*
(Name or Title of Authorized Agent)

_____, *OR*
(Name or Title of Authorized Agent)

_____,
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California.

Passed and approved this _____ day of _____, 20_____

Certification

I, _____, duly appointed and
(Name)

_____ of the _____
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the _____ of the _____ on the
(Governing body) (Name of Applicant)

_____ day of _____, 20_____.

(Official Position)

(Signature)

(Date)

Appendix B (cont)

Instruction Sheet for the Governing Body Resolution

Purpose

The purpose of the Governing Body Resolution is inform the governing body of the intention to enter into the grant, document their understanding of the responsibilities of the grant and to appoint individuals to act behalf of the governing body and the applicant.

Authorized Agent(s)

The Governing Body Resolution allows for the appointment of individuals or positions. For each person or position appointed by the governing body, submit the following information, with the resolution, to the state on the applicant's letterhead:

- | | |
|---|---|
| <input type="checkbox"/> Recipient Agency | <input type="checkbox"/> Telephone |
| <input type="checkbox"/> Grant Program | <input type="checkbox"/> Fax # |
| <input type="checkbox"/> Name | <input type="checkbox"/> Cell Phone # |
| <input type="checkbox"/> Title | <input type="checkbox"/> E-Mail Address |
| <input type="checkbox"/> Address | |
| <input type="checkbox"/> City | |
| <input type="checkbox"/> Zip Code | |
-

Authorized Agent Changes

- If the Governing Body Resolution identifies Authorized Agents by position and/or title, changes can be made by submitting new Authorized Agent information to the state.
- If the Governing Body Resolution identifies Authorized Agents by name, a new Resolution is needed when any changes are made. The information list above must also be submitted with the new Resolution.

Appendix C
Signature Authority

AS THE _____
(Secretary / Director / President / Chief Executive Officer)

OF THE _____
(Name of State Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named state organization, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the Governor's Office of Homeland Security.

_____, *OR*
(Name or Title of Authorized Agent)

_____, *OR*
(Name or Title of Authorized Agent)

_____,
(Name or Title of Authorized Agent)

Signed and approved this _____ day of _____, 20_____

Appendix D Performance Report Template

Date:

Recipient Agency:

Project Name:

Performance Period:

Notification of Award Date:

Anticipated Completion Date:

Milestones – Insert milestones from award letter – detail progress made toward meeting milestone.

1)

2)

3)

4)

5)

6)

Signature of Authorized Agent

Date

Name:

Title:

Phone:

Email: